

Executive

As Reported by House Finance

DRCCD11      Term in a halfway house

No provision.

R.C.      1.05

Specifies that a term in a halfway house is not considered imprisonment.

**Fiscal effect: None.**

DRCCD8      Fund closures

R.C.      2929.18, 2969.14, 5120.135, Section 512.60

Abolishes the Confinement Cost Reimbursement Fund (Fund 5D50), the Laboratory Services Fund (Fund 5930), the Adult Parole/Probation Service Fund (Fund 5A30), and the Sex Offender Supervision Fund (Fund 5CL0).

**Fiscal effect: None, as these funds are inactive and have no cash balances.**

R.C.      2929.18, 2969.14, 5120.135, Section 512.60

Same as the Executive.

DRCCD5      Judicial release on compassionate medical grounds

R.C.      2929.20

(1) Authorizes a court, on its own motion, to grant judicial release to an offender in a state correctional institution on compassionate medical grounds if the offender has not been sentenced to death or life imprisonment.

(2) Requires the court, after granting judicial release, to determine the offender's health status annually, and permits the court, if the offender's status improves sufficiently, to reimpose the reduced sentence after a hearing or waiver of a hearing by the offender.

R.C.      2929.20

(1) Same as the Executive, except that the court may only grant compassionate release to an offender in imminent danger of death, who is medically incapacitated, or who is suffering from a terminal illness.

(2) Replaces the Executive provision with a provision that removes the requirement that the court determine the offender's health status annually, and requires, instead of permits, the court to revoke the judicial release if the offender's health improves so that the offender is no longer

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(3) No provision.

terminally ill, medically incapacitated, or in imminent danger of death.

(3) Eliminates the ability of a court to grant such a judicial release if other exigent circumstances exist such that institutional confinement does not offer additional protections for public safety or against the offender's risk to re-offend.

(4) No provision.

(4) Requires the court when granting a judicial release to place the offender on probation or parole and under an appropriate community control sanction for a period that does not expire earlier than the date on which the offender's mandatory prison term ends.

(5) No provision.

(5) Allows the court to revoke the judicial release if the offender violates the community control sanction.

**Fiscal effect: Potential reduction in incarceration related expenditures, including medical treatment costs, for each offender granted judicial release on compassionate medical grounds.**

**Fiscal effect: Potential reduction in state incarceration related expenditures for each offender placed on probation or parole on compassionate medical grounds. Local jurisdictions may see some increase in supervision related expenditures for offenders placed on probation.**

DRCCD4

Halfway house and community-based correctional facility program expenditures

R.C. 2967.14, 5120.112

Permits the Department's Division of Parole and Community Services to expend up to one-half per cent of the annual appropriation made for halfway house programs and community-based correctional facility programs for goods and services that benefit those programs.

R.C. 2967.14, 5120.112

Same as the Executive.

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**Fiscal effect: This provision modifies current law to permit additional expenditures for training, information technology enhancements, and supplies.**

**Fiscal effect: Same as the Executive.**

**DRCCD3 Ohio Penal Industry prices**

**R.C. 5120.28**

Removes the requirement that the Office of Budget and Management approve prices fixed by the Department of Rehabilitation and Correction for labor and services performed, agricultural products produced, and articles manufactured in correctional and penal institutions that are furnished to the state, its political subdivisions, and public institutions, and to private persons.

**Fiscal effect: None.**

**R.C. 5120.28**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DRCCD6 Classified employee fallback rights**

**R.C. 5120.38, 5120.381, 5120.382**

(1) Expands current law, which permits a Department of Rehabilitation and Correction (DRC) employee who moves from a classified position to an unclassified position (as a managing officer, deputy warden, or otherwise) to resume the classified position held by the employee immediately prior to the move, to allow the employee to resume the classified position (or a substantially equal position, as certified by the Director of Administrative Services (DAS)) even if the employee has held multiple unclassified positions since the move.

**R.C. 5120.38, 5120.381, 5120.382**

(1) Same as the Executive.

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(2) Requires the DRC Director, if the employee's prior classified position has been place in the unclassified service or is otherwise unavailable, to appoint the employee to a classified DRC position that is comparable in compensation to the prior position, as certified by the DAS Director.

(2) Same as the Executive.

(3) Triggers the fallback rights for DRC employees only when the employee is demoted to a pay range lower than the employee's current pay range or when the DRC Director revokes the employee's appointment to the unclassified service.

(3) Same as the Executive.

(4) Specifies the circumstances under which a DRC employee forfeits the right to resume the classified position.

(4) Same as the Executive.

(5) Requires, if a DRC employee utilizes these fallback provisions, that the employee's unclassified DRC service be counted toward that employee's service in the prior classified position.

(5) Same as the Executive.

(6) Entitles a DRC employee using these fallback provisions to all rights and benefits and any status that the classified position accrued during the employee's unclassified service (similar to current law).

(6) Same as the Executive.

**DRCCD9 Monthly personnel report**

**R.C. 5120.38**  
Eliminates a current law requirement that the managing officer of each DRC institution must file a monthly report with the DRC Director outlining all appointments, resignations, and discharges.

**R.C. 5120.38**  
Same as the Executive.

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**Fiscal effect: Potential savings effect.**

**Fiscal effect: Same as the Executive.**

**DRCCD1            Adult correctional facilities lease rental bond payments**

**Section: 371.10**

Requires GRF appropriation item 501406, Adult Correctional Facilities Lease Rental Bond Payments, be used to meet all payments during the period from July 1, 2015, through June 30, 2017, by the Department of Rehabilitation and Correction under the primary leases and agreements for buildings under R.C. Chapters 152. and 154.

**Section: 371.10**

Same as the Executive.

**DRCCD2            OSU medical charges**

**Section: 371.10**

(1) Requires The Ohio State University Medical Center, at the request of the Department of Rehabilitation and Correction (DRC), to provide necessary care to persons who are confined in state adult correctional facilities.  
 (2) Requires the provision of necessary care be billed to DRC or the Department of Medicaid at a rate not to exceed the authorized reimbursement rate for the same service established by the Department of Medicaid under the Medicaid Program.

**Section: 371.10**

(1) Same as the Executive.  
 (2) Same as the Executive.

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**MHACD22          Addiction Treatment Program for Specialized Docket Programs**

**Section: 331.90**

Requires ODMHAS conduct a pilot program to provide addiction treatment, including medication-assisted treatment, to persons who are offenders within the Criminal Justice System, eligible to participate in a certified drug court program, and are selected to be participants because of their dependence on opioids, alcohol, or both.

Requires ODMHAS conduct the program in those courts of Crawford, Franklin, Hardin, and Mercer counties that are conducting certified drug court programs.

Requires ODMHAS to conduct the program in a court that is conducting a certified drug court program in another county if any of these counties has no court conducting a certified drug court program.

Permits ODMHAS to conduct the program in any court that is conducting a certified drug court program in a county other than enumerated counties.

Requires ODMHAS collaborate with the Supreme Court, Department of Rehabilitation and Correction, and any agency of the state that ODMHAS determines may be of assistance in accomplishing the objectives of the program.

Permits ODMHAS to collaborate with ADAMHS boards and local law enforcement agencies that serve the counties in which a court participating in the program is located.

**Section: 331.90**

Same as the Executive, but requires ODMHAS to conduct a program instead of a pilot program. Changes references to drug court programs to refer to addiction treatment programs. Makes technical corrections.

Same as the Executive, but adds Adams, Allen, Butler, Clinton, Delaware, Fairfield, Gallia, Hamilton, Hocking, Jackson, Lawrence, Lucas, Montgomery, Noble, Summit, and Warren counties to the program.

Same as the Executive.

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Requires a certified drug court program to select criminal offenders to be participants in the pilot program.

Same as the Executive.

Caps the number of participants in the pilot program at 500 unless ODMHAS authorizes the maximum number to be exceeded in circumstances the Department considers to be appropriate.

Same as the Executive, but caps the number of participants at 1,500.

Requires the treatment provided in a certified drug court program be provided by a certified community addiction services provider.

Same as the Executive.

Requires specified services and duties to be provided and performed by a certified community addiction services provider for the pilot program.

Same as the Executive, but replaces references to "partial antagonist" therapies with references to "partial agonist" therapies. Requires treatment providers to provide participants with detoxification services and transportation to treatments and therapies. Specifies that prior authorizations or step therapy are not permitted for medication-assisted treatment for participants in the addiction treatment program.

Requires a report of the findings of the pilot be prepared by a research institution and include data derived from the testing and performance measures used in the program.

Requires a report of the findings of the addiction treatment pilot program established by Section 327.120 of Am. Sub. H.B. 59 of the 130th General Assembly. Sets requirements for the selection of the research institution that will report on the pilot program.

Requires the research institution complete its report not later than December 31, 2015.

Same as the Executive, but now requires the report be completed by December 31, 2016.

Requires the report, upon its completion, to be submitted to the Governor, the Chief Justice of the Ohio Supreme Court, President of the Senate, Speaker of the House of Representatives, ODMHAS, Department of Rehabilitation

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and Correction, and any other state agency that ODMHAS collaborates with in conducting the pilot program.

Requires up to \$2.5 million in each fiscal year of GRF line item 336422, Criminal Justice Services, be used to support the pilot program.

Same as the Executive, but increases the earmark to up to \$7.0 million in each fiscal year.

**MHACD14 Bureau of Recovery Services**

**Section: 331.100**

Transfers the Bureau of Recovery Services (BRS) in the Department of Rehabilitation and Correction to ODMHAS.

Transfers all BRS employees to ODMHAS.

Specifies all of the following:

(1) Any rules, orders, and determinations pertaining to BRS continue in effect until modified or rescinded by ODMHAS.

(2) Any reference to BRS is deemed to refer to ODMHAS or its director, as appropriate.

(3) No pending proceeding is affected by the transfer, and must be prosecuted or defended in the name of ODMHAS or its director.

(4) No right, obligation, or remedy is lost or impaired by the transfer, and must be administered by ODMHAS.

Requires on July 1, 2015, or as soon as possible thereafter, the OBM Director to cancel any existing

**Section: 331.100**

Same as the Executive.

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(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

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encumbrances against GRF line item 505321, Institutional Medical Services, used by the Department of Rehabilitation and Correction, that pertain to the Bureau of Recovery Services in the Department of Rehabilitation and Correction.

Requires the canceled encumbrances be reestablished against GRF line item 336423, Addiction Services Partnership with Corrections, used by the Department of Mental Health and Addiction Services. Reappropriates the reestablished encumbrance amounts.

Same as the Executive.

Requires any business commenced but not completed under GRF line item 505321, Institutional Medical Services, pertaining to the Bureau of Recovery Services to be completed under GRF line item 336423, Addiction Services Partnership with Corrections, in the same manner, and with the same effect, as if completed with regard to GRF line item 505321, Institutional Medical Services.

Same as the Executive.